

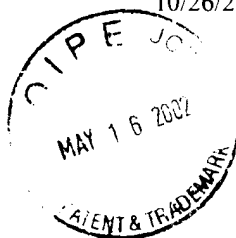


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/016,349	10/26/2001	Herve E. Recipon	DEX-0243

Licata & Tyrrell P.C.
66 East Main Street
Marlton, NJ 08053



CONFIRMATION NO. 6501

FORMALITIES LETTER



OC000000007655268

Date Mailed: 03/18/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

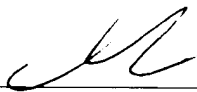
- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

05/23/2002 MBERHE 00000041 501619 10016349
01 FC:105 130.00 CH

05/23/2002 MBERHE 00000042 501619 10016349

01 FC:105 130.00 CH

A handwritten signature in black ink, appearing to be 'JH', is positioned above a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



5-20-2002

11/8 \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Docket No.: DEX-0243

Inventors: Recipon et al.

Serial No.: 10/016,349

Filing Date: October 26, 2001

Examiner: Not Yet Assigned

Group Art Unit: 1653

Title: Compositions and Methods Relating to Lung Specific Genes and Proteins

"Express Mail" Label No. EL722984711US
Date of Deposit May 16, 2002

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202

By Kathleen A. Tyrrell
Typed Name: Kathleen A. Tyrrell, Reg. No. 38,350

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

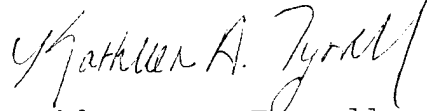
RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the "Notice to File Missing Parts of Application--Filing Date Granted" dated **March 18, 2002**, a response to which is due **May 18, 2002**, enclosed herewith for filing is:

- 1) The original Combined Declaration and Power of Attorney, executed by the inventor(s). An unexecuted copy of this document, attached to the above-identified specification, was filed by Express Mail No. **EL859835112US** on **October 26, 2001**.

- () I hereby state that the submission filed in accordance with **37 CFR §1.821(h)** does not include new matter or go beyond the disclosure in the international application as filed.
- (XX) I hereby state that the amendments, made in accordance with **37 CFR §1.825(a)**, included in the substitute sheet(s) of the Sequence Listing were made to conoform to the current Sequence Listing Rules. I hereby state that the substitute sheet(s) of the Sequence Listing does not include new matter.
- (XX) I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(b)**, is the same as the amended Sequence Listing submitted herewith.
- () I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(d)**, contains identical data to that originally filed.

Respectfully submitted,



Kathleen A. Tyrrell
Registration No. 38,350

Date: **May 16, 2002**

Licata & Tyrrell P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: DEX-0243

Inventors: Recipon et al.

Serial No.: 10/016,349

Filing Date: October 26, 2001

Examiner: Not yet assigned

Group Art Unit: 1653

Title: Compositions and Methods Relating to
Lung Specific Genes and Proteins

"Express Mail" Label No. EL722984711US
Date of Deposit - May 16, 2002

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327 Arlington, VA 22202

By Kathleen A. Tyrrell
Typed Name: Kathleen A. Tyrrell

Assistant Commissioner for Patents
BOX Sequence
United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

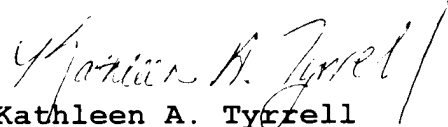
**STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE
WITH 37 CFR §§ 1.821 THROUGH 1.825**

- () I hereby state, in accordance with the requirements of 37 C.F.R. §1.821(f), that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively are the same.
- () I hereby state that the submission filed in accordance with 37 CFR §1.821(g) does not include new matter.

- 2) Amended paper copy of the Sequence Listing;
 - 3) Copy of the computer readable form of amended Sequence Listing;
 - 4) Amendment under 1.825 directing entry of the Sequence Listing into the application; and
 - 5) Statement to Support Filing and Submission in Accordance with 37 CFR 1.821 through 1.825
- () Other:
- () An Associate Power of Attorney is also enclosed.
- () Small entity status of this application has been established on _____.
- () A Verified Statement Claiming Small Entity Status Under 37 CFR 1.9 and 1.27 has been forwarded to the Refund Section, Accounting Division, Office of Finance on _____. A **copy** of this Verified Statement Claiming Small Entity Status form and the Request for Refund form is enclosed for your convenience.
- () A credit card payment form in the amount of \$_____ is attached to cover the surcharge. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-1619.
- (XX) Please charge the surcharge to my Deposit Account No. 50-1619 in the amount of \$130.00.

This sheet is attached in duplicate.

Respectfully submitted,


Kathleen A. Tyrrell
Registration No. 38,350

Date: **May** 16, 2002

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